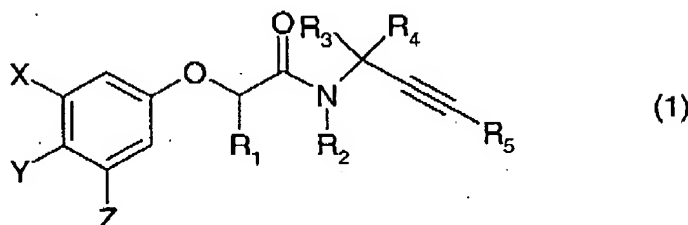


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## AMENDMENTS TO THE CLAIMS

Claims 1-8. (Cancelled).

Claim 9. (Currently Amended): A compound of the formula (1):



wherein X, Y and Z are all chloro or methyl, or X and Z are both chloro or bromo and Y is H or methyl, or X and Z are both methyl or methoxy and Y is H, chloro, bromo or alkylthio, or X is methoxy, Y is H and Z is cyano or chloro, or X is methyl, Y is H and Z is ethyl, or X is chloro, bromo or trifluoromethyl and both Y and Z are H; R<sub>1</sub> is methyl, ethyl, *n*-propyl, ~~2,2,2-trifluoromethyl~~ 2,2,2-trifluoroethyl, cyanomethyl, acetylmethyl, methoxycarbonylmethyl, methoxycarbonylethyl, hydroxymethyl or hydroxyethyl; R<sub>2</sub> is H; R<sub>3</sub> and R<sub>4</sub> are both methyl; and R<sub>5</sub> is hydroxymethyl, methoxymethyl, 1-methoxyethyl, *tert*-butyldimethylsiloxymethyl, 3-chloropropyl, 3-cyanopropyl, 3-methoxypropyl, 3-(1,2,4-triazol-1-yl)propyl, 3-methylthiopropyl, 3-methanesulphinylpropyl or 3-methanesulphonylpropyl.

Claim 10. (Cancelled)

Claim 11. (Previously Amended): A fungicidal composition comprising a fungicidally effective amount of a compound of the general formula (1) according to claim 9 and a suitable carrier or diluent therefor.

Claim 12. (Previously Amended): A method of combating or controlling phytopathogenic fungi which comprises applying a fungicidally effective amount of a compound of the general formula (1) according to claim 9 to a plant, to a seed of a plant, to the locus of the plant or seed or to soil or any other plant growth medium.

Claim 13. (Previously Presented) The compound of claim 9 wherein R<sub>1</sub> is ethyl.

Claim 14. (Previously Presented) The compound of claim 9 wherein R<sub>5</sub> is methoxymethyl.

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Claim 15. (Previously Presented) The compound of claim 9 wherein  $R_5$  is 3-cyanopropyl.